

Application No. 09/844,251
Filed: April 27, 2001
TC Art Unit: 2832
Confirmation No.: 8919

REMARKS

In the most recent Office Action, claims 1-20 were pending. Claims 6-11 are withdrawn from consideration. Claims 1-5 and 16-19 are rejected. Claims 12-15 and 20 are objected to.

In response, Claims 1-11 and 16-19 are canceled from the application without prejudice. Claims 12, 13 and 20 are amended. Accordingly, claims 12-15 and 20 remain pending in the present application. No new matter is added.

Applicant thanks the Examiner for the thorough search and consideration of the claims of the present application, and responds to the comments in the Office Action as follows.

Claim Rejections - 35 U.S.C. §102

The Office Action states that claims 1-3, 5 and 16-19 are rejected under 35 U.S.C. §102(e) as anticipated by Streeter et al. (U.S. Patent No. 6,396,371). In particular, the Office Action states that Streeter et al. teach each and every element of the rejected claims.

Claims 1-3, 5 and 16-19 are canceled from the application without prejudice, thereby rendering moot the rejection of those claims under 35 U.S.C. §102(e).

Application No. 09/844,251
Filed: April 27, 2001
TC Art Unit: 2832
Confirmation No.: 8919

Claim Rejections - 35 U.S.C. §103

The Office Action states that claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Streeter et al. in view of Kasai et al. (U.S. Patent No. 6,483,395). In particular, the Office Action states that Streeter et al. teach each and every element of the rejected claim with the exception of contacts composed of Ruthenium, the same being taught by Kasai et al. in an obvious combination.

Claims 4 is canceled from the application without prejudice, thereby rendering moot the rejection of that claim under 35 U.S.C. §103(a).

Allowable Subject Matter

The Office Action states that claims 12-15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Claims 12 and 20 are amended to incorporate the limitations of base claim 1. Accordingly, claims 12-15 and 20 are now allowable, and Applicant respectfully requests notice to that effect.

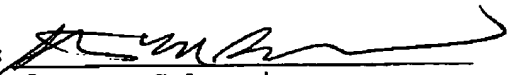
Application No. 09/844,251
Filed: April 27, 2001
TC Art Unit: 2832
Confirmation No.: 8919

Conclusion

In view of the above amendments and discussion, Applicant respectfully submits that the application is now in condition for allowance and earnestly solicits notice to that effect. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

RICHARD H. MORRISON, JR. ET AL.

By: 
Stanley M. Schurgin
Registration No. 20,979
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, MA 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

SMS/jms
333177